IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTI0N

CIVIL APPLICATION NO.167 OF 2005

IN

WRIT PETITON NO.4839 OF 2003

Krishnakant Sakharam Ghag ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.Hitesh Patel i/b. D.S.K. Legal for the petitioner.

Mr.P.S.Jetly with Y.R.Mishra i/b.T.C.Kaushik for respondents.

CORAM : S.RADHAKRISHNAN AND J.P.DEVADHAR, JJ.

DATED : 2ND FEBRUARY, 2005.

P.C. :-

1. Heard the learned counsel for the respondents and the petitioner. Rule. Rule made returnable forthwith by consent. The learned counsel for the petitioner waives service.

2. This Civil Application has been taken out by the respondents, the applicants in this application,

seeking to withdraw the sum of Rs.25,23,067/- which has been deposited in this Court in the month of April, 2004 pursuant to our order dated 2nd September, 2003. There is no affidavit-in-reply filed by the original peritioner. For the reasons stated in the above civil application, the Civil Application is made absolute in terms of prayer clause (b) of the application.

3. Having regard to the facts and circumstances of the case, hearing of the above Writ Petition is expedited.

4. Place the above Writ Petition on Board for final hearing on 24th March, 2005.

Parties to act on an ordinary copy of this order duly authenticated by the Associate/C.S.

(S.RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)